

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:22-CV-203-JRG
)	
MICRON TECHNOLOGY, INC.,)	JURY TRIAL DEMANDED
MICRON SEMICONDUCTOR)	
PRODUCTS INC., MICRON)	
TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	

**PLAINTIFF NETLIST INC.'S RESPONSE TO MICRON'S OBJECTIONS TO
REPORT AND RECOMMENDATION DENYING MOTION TO STAY**

Plaintiff Netlist, Inc. ("Netlist") submits the following response to Defendants' Objections (Dkt. 417) to Magistrate Judge Payne's Report & Recommendation to Deny Micron's Motion to Stay (Dkt. 416, recommending denial of Dkt. 80). Micron's repeated attempts to wrest control of this trial docket away from the Court, including a failed writ of mandamus, should be rejected. Netlist disagrees with Micron's response for the reasons stated in its briefing on the Motions subject to Judge Payne's Order, incorporated by reference herein. Dkts. 94, 104, 403.

Dated: January 19, 2024

Respectfully submitted,

/s/ Jason Sheasby

Samuel F. Baxter
Texas State Bar No. 01938000
sbaxter@mckoolsmith.com
Jennifer L. Truelove
Texas State Bar No. 24012906
jtruelove@mckoolsmith.com
MCKOOL SMITH, P.C.
104 East Houston Street Suite 300
Marshall, TX 75670
Telephone: (903) 923-9000

Facsimile: (903) 923-9099

Jason Sheasby (*pro hac vice*)
jsheasby@irell.com
Annita Zhong, PhD (*pro hac vice*)
hzhong@irell.com
Thomas C. Werner (*pro hac vice*)
twerner@irell.com
Andrew Strabone (*pro hac vice*)
astrabone@irell.com
Yanan Zhao (*pro hac vice*)
yzhao@irell.com
Michael W. Tezyan (*pro hac vice*)
mtezyan@irell.com

IRELL & MANELLA LLP

1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Tel. (310) 277-1010
Fax (310) 203-7199

Rebecca Carson (*pro hac vice*)
rcarson@irell.com

IRELL & MANELLA LLP

840 Newport Center Drive, Suite 400
Newport Beach, CA 92660

Attorneys for Plaintiff Netlist, Inc.

CERTIFICATE OF SERVICE

I hereby certify that, on January 19, 2024, a copy of the foregoing was served to all counsel of record.

/s/ Yanan Zhao
Yanan Zhao